



09-01-06

OF / ZZW

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: William F. AFTOORA Docket No.: WFA-1400  
Serial No: 10/049,876 Examiner: DREW BECKER  
Filed: June 7, 2002 Art Unit.: 1761  
Title: Flavored Solid-Form Food Product and Method of Preparation

**MAIL STOP AF  
COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450**

**RESPONSE AND PETITION FOR EXTENSION OF TIME TO MAINTAIN  
APPLICATION PENDING THAT IS TO BE ABANDONED UPON FILING A  
CONTINUATION APPLICATION CLAIMING ITS BENEFIT.**

Dear Sir:

Applicant, through his Attorney, respectfully responds to the Final Office Action mailed on March 2, 2006 as follows.

**REMARKS**

1. The response in this application is a bona fide attempt by Applicant to respond to the Final Office Action mailed on March 2, 2006. The present response comprises a separately filed:

Continuation Application  
 Continuation-in-part (CIP) Application  
 Continued Prosecution Application (CPA)

A copy of this response and petition for extension of time is being filed with the papers constituting the filing of the separately filed continuation application.

2. Please abandon this application conditioned only upon the granting of a filing date for the separately filed continuation application, so as to make the continuation application copending with this application.

**Certificate of Express Mailing**

I hereby certify that this correspondence is being deposited on the date shown below with the United States Postal Service as Express Mail - Label No. EV915786591US - "Express Mail Post Office to Addressee" in an envelope with sufficient postage addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

09/06/2006 SLUANBY 00000019 10049876  
(Name or print name of person signing paper)

*Laura A. Rafi*  
(signature of person mailing paper)

91-06  
(date)

01 FC:2253

450.00 OP

Application Serial No.: 10/049,876

Applicant: William F. AFTOORA

Response Filed: September 1, 2006

In Response to Office Action mailed on March 2, 2006  
and Advisory Action mailed on July 19, 2006

3. This application is on behalf of:

a small entity.

A Written Assertion Establishing Small Entity Status:

is enclosed.

was already filed in the parent application. This status is still proper and its benefit under 37 C.F.R. §1.27(a) is hereby claimed.

other than a small entity.

4. Extension of Time Requested

The proceedings herein are for a patent application and the provisions of 37 C.F.R. §1.136(a) apply.

(a)  Applicant petitions for an extension of time under 37 C.F.R. §1.136(a)  
(fees: 37 C.F.R. §1.17(a)(1)-(4)) for the total number of months checked below.)

Extension months	Fee for other than small entity	For small entity
<input type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two months	\$ 450.00	\$ 225.00
<input checked="" type="checkbox"/> three months	\$ 1,020.00	\$ 510.00
<input type="checkbox"/> four months	\$ 1,590.00	\$ 795.00
<input type="checkbox"/> five months	\$ 2,160.00	\$ 1,080.00

Extension Fee: \$ 510.00

If an additional extension of time is required, please consider this a petition therefor.

An extension for one (1) month has already been secured and the fee paid therefor of \$60.00 is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$450.00

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**OR**

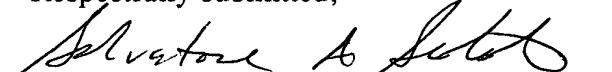
(b)  This is a conditional petition for an extension of time. Applicant believes that no extension of time is required to respond to the Office Action or to establish copendency between the parent application and the contemporaneously and separately filed continuation application. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for an extension of time. If an additional extension is required, please consider this a petition therefor.

5. Fee Deficiency

**Authorization to Charge Deposit Account**

In the event a fee is applicable to the filing of this document and the required fee is not enclosed, or a fee submitted is insufficient, the Director is hereby authorized to charge any fees for Docket No. WFA-1400 which might be required to effect the filing of this (these) document(s) to Account No. 50-3275. This authorization is being submitted in duplicate.

Respectfully submitted,



Joseph G. Curatolo, Esq. (Reg. No. 28,837)

Salvatore A. Sidoti, Esq. (Reg. No. 43,921)

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Attorneys for Applicant

9-1-06

Date

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